



DT03 Rec'd PCT/PTO 0.3 JAN 2005 *PCT*

PATENT
ATTORNEY DOCKET NO.: 046124-5314

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Takayoshi HONMA et al.)	Confirmation No.: TBA
)	
Application No.: 10/506,508)	Group Art Unit: TBA
)	
Filed: September 8, 2004)	Examiner: TBA
)	
For: SEMICONDUCTOR LIGHT EMITTING)	
DEVICE AND PLANT CULTIVATION)	
APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

**SUBMISSION OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document attached. To the best of the undersigned's knowledge, this submission is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A translation of an International Preliminary Examination Report ("IPER") issued in corresponding PCT/JP03/02668 is attached. Applicant respectfully requests that the Examiner consider the IPER as it relates to the above-identified application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 3, 2005

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